

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 RICHARD MATHIS, *et al.*,

4 Plaintiffs,

5 v.

6 COUNTY OF LYON, *et al.*,

7 Defendants.
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Case No. 2:07-cv-00628-APG-GWF

**ORDER REGARDING STAY
PENDING APPEAL**

(ECF No. 489)

10 Defendant Lyon County moved for a stay of the plaintiffs' efforts to execute and collect
11 upon their judgment without the need to post a supersedeas bond. ECF No. 489. I allowed the
12 County to file a supplement with documentation guaranteeing payment of the judgment. ECF No.
13 496. Lyon County filed that supplement (ECF No. 497) and I now grant that motion.

14 "If an appeal is taken, the appellant may obtain a stay by supersedeas bond" Fed. R.
15 Civ. P. 62(d). However, in appropriate circumstances a "district court may permit security other
16 than a bond." *Townsend v. Holman Consulting Corp.*, 929 F.2d 1358, 1367 (9th Cir. 1990)
17 (citation omitted). Lyon County has submitted a declaration of Wayne Carlson confirming that
18 the Nevada Public Agency Insurance Pool (NPAIP) "will cover the entirety of the judgment
19 entered against Lyon County in this case" ECF No. 497-1 at 6. That is sufficient proof that
20 the judgment amount will be paid. Thus, I stay the plaintiffs' execution efforts against Lyon
21 County without the posting of a supersedeas bond. The judgment is secured by payment from the
22 NPAIP.

23 IT IS THEREFORE ORDERED that defendant Lyon County's motion for stay of
24 execution (**ECF No. 489**) is **GRANTED**.

25 DATED this 4th day of August, 2017.

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28 ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE